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The Honorable Mary Jo Heston
Chapter 7
Hearing: September 28, 2023
Location: 1717 Pacific Avenue
Tacoma, WA 98402
Response Date: September 21, 2023

Julie Rho
Sixth Avenue Law Office
4003 Sixth Avenue
Tacoma, WA 98406
Phone: (253) 759-8000

**UNITED STATES BANKRUPTCY COURT
FOR THE
WESTERN DISTRICT OF WASHINGTON**

In re:

Case No.: 23-41197 -MJH

DAVID-JOHN RIVERA ARCEO
YVETTE COLON-ARCEO
Debtor.

**MOTION TO DISMISS BANKRUPTCY
CASE**

MOTION TO DISMISS
PAGE 1

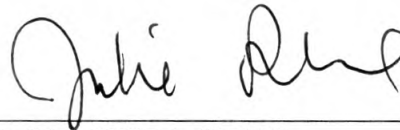
SIXTH AVENUE LAW OFFICE
4003 SIXTH AVENUE
TACOMA, WASHINGTON 98406
(253) 759-8000

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2 **TO:** CLERK OF THE U.S. BANKRUPTCY COURT
3 KATHRYN ELLIS, Trustee and
4 US TRUSTEE

5 **MOTION TO DISMISS BANKRUPTCY CASE**

6 Debtors David-John Rivera Arceo and Yvette Marie Colon-Arceo by and through their
7 attorney of record Julie Rho, hereby moves the Court pursuant to Rule 1017-1 of the Local
8 Bankruptcy Rules and 11 US Code Section 707, Western District of Washington to dismiss the
9 bankruptcy case. Debtor David Arceo was represented by Attorney Rho for his bankruptcy case
10 filed on November 30, 2015 under case number 15-45566 which was a no asset case, discharged
11 and then closed. Debtor sought to start a new life without debt but incurred debt due in large part
12 to the consequences of the COVID pandemic. Due to a date calculation error by Attorney Rho,
13 this case was filed 4 months prematurely. As such one of the debtors David Arceo is ineligible
14 for a discharge. Debtors respectfully request a discharge and ask that they not be prejudiced by
15 the mistake of their attorney. As such, the Debtors respectfully request a dismissal of this case
16 so that they may re-file on a more appropriate date.

17 DATED this 23rd day of August 2023 in Tacoma, Washington.

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20 Julie Rho, WSBA #36771
21 Sixth Avenue Law Office
22 4003 Sixth Avenue
23 Tacoma, WA 98406
24 Counsel for Debtors, David-John Rivera Arceo and
25 Yvette Marie Colon-Arceo